

EXHIBIT A

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 SHATEQUA LEGUETTE, et al
4 PLAINTIFFS

17 CV 7599 (JBW)

5 versus

6 SCHWAN'S COMPANY, et al,

7 DEFENDANTS.

U. S. Courthouse
225 Cadman Plaza East
Brooklyn, New York
January 30, 2019
10:00 a. m.

8 TRANSCRIPT OF CIVIL CAUSE FOR MOTION HEARINGL
9 BEFORE THE HONORABLE JACK WEINSTEIN
10 UNITED STATES DISTRICT JUDGE

11 APPEARANCES

12 Attorney for Plaintiff:

13 SHEEHAN & ASSOCIATES, PC
14 505 Northern Boulevard, Suite 311
Great Neck, New York 11021
BY: SPENCER SHEEHAN, ESQ.

15 Attorneys for Defendants:

16 FOLEY HOAG, LLP
17 1540 Broadway, 23rd Floor
New York, New York 10036
18 BY: AUGUST HORVATH, ESQ.
MITAL PATEL, ESQ.

19 ALSO PRESENT: SHATEQUA LEGUETTE

20 JENNIFER HOLMBERG

21 Court Reporter:

22 LISA SCHMID, CCR, RMR
Official Court Reporter
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[REDACTED]

THE COURT: Well, I am inclined to do two things. One, find that this is not an adequate person to represent the class in the United States, and in any event, in view of the differences in law, I'm not sure that it's an adequate representation that I can deal with, when I know from other cases, you'll find that the law is different in many of the states. So, I'm inclined to sever the Florida representation.

You ever buy a pie in Florida?

MS. LEGUETTE: No.

THE COURT: Sever the Florida case, and send it down.

You have a different representation for Florida, don't you?

MR. SHEEHAN: Yes, Your Honor. The plaintiff representative, Ms. Miller, who lives in Florida,

1 St. Petersburg, and who I contacted after the most recent
2 docket order, informed me that due to her husband's recent
3 release from the hospital and her intense fear and dislike of
4 flying, she would not be able to be here this week.

5 THE COURT: But she still wants to represent --

6 MR. SHEEHAN: Oh, yes, sir.

7 THE COURT: -- Florida?

8 MR. SHEEHAN: Absolutely. And I told her I would
9 convey her sentiments to me, and I would pass that along to
10 the Court, and I can bring her on the phone, and --

11 THE COURT: She lives in Florida?

12 MR. SHEEHAN: Yes, sir.

13 THE COURT: And if she bought pies, it's likely to
14 be in Florida?

15 MR. SHEEHAN: That's the only place.

16 THE COURT: Because of her flying problem, fear of
17 flying?

18 MR. SHEEHAN: I don't know how she got to Florida.

19 THE COURT: Fear of lying --

20 MR. SHEEHAN: So she says.

21 THE COURT: -- that has nothing to do with fear of
22 flying.

23 Well, I'm going to dismiss the representation of the
24 United States by this one plaintiff. She simply can't do it.
25 She's a local lady from Queens -- and neither can the

1 representative from Florida represent all those in the other
2 48 states.

3 But with respect to Florida, I will permit you, if
4 this is what you want to do, to sever the Florida case and
5 transfer it to Florida. But I think that's going to cause
6 both parties a good deal of legal problems.

7 You don't have a representative in Florida to handle
8 this kind of case, do you?

9 MR. HORVATH: No, Your Honor, but we can probably
10 manage somehow.

11 THE COURT: I understand.

12 Well, anyway, that's what I'll do.

13 Do you have any objection to those two?

14 MR. HORVATH: No, Your Honor. We don't.

15 THE COURT: Do you object?

16 MR. SHEEHAN: I don't quite understand the reason
17 for severing, but of course, you know, we accept Your Honor's
18 decision.

19 THE COURT: All right. The Florida case is severed.
20 You'll file a new complaint, putting everything on Florida in
21 one set of papers, and then submit an order transferring the
22 case as indicated by the new pleadings separated from the old
23 pleadings, and transferring it to Florida.

24 What district in Florida? Do you know?

25 MR. SHEEHAN: I am not certain, but I believe

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

THE COURT: [REDACTED]

[REDACTED]

[REDACTED]

In any event, what I'm deciding today is to dismiss this suit as a national suit, to require a separate complaint for the Florida suit, and then our clerk will transfer it to Florida.

You'd better check and see what district it should be transferred to.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]